

Kenneth Holmes - 8/28/2013

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IN THE UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

DON ADDINGTON, et al., )  
 )  
 Plaintiffs, )  
 )  
 vs. ) No. CV-13-00471-PHX-ROS  
 )  
 US AIRLINE PILOTS ASSOCIATION, )  
 et al., )  
 )  
 Defendants. )  
 )

DEPOSITION OF KENNETH LEE HOLMES

Phoenix, Arizona  
August 28, 2013  
9:22 a.m.

REPORTED BY:  
Kristy A. Ceton, RPR  
AZ Certified Court Reporter No. 50200

1 that at some of the road shows.

2 Q. And did you object when you heard  
3 Mr. Szymanski say that?

4 A. No.

5 Q. Are you aware of any misstatements or  
6 inaccuracies by any USAPA representative made at any  
7 of the road shows?

8 A. Are you referring to just officers and  
9 NAC members that spoke or are you referring to  
10 counsel that spoke?

11 Q. Anybody. Are you aware of any  
12 inaccuracies with respect to the MOU --

13 A. Well --

14 Q. -- that you heard at any of the road  
15 shows?

16 A. Well, I heard beginning on day two in  
17 Charlotte, counsel changed what I thought was a  
18 neutral section to something that was not neutral.

19 Q. And what counsel are you referring to?

20 A. Pat Szymanski.

21 Q. And what did Mr. Szymanski change?

22 A. Well, I don't have any notes in front of  
23 me to go over, but a lot. He said that they were  
24 going to do whatever they can to see that Nicolau  
25 never sees the light of day. Got a round of applause

1 out of the group in Charlotte on that. He made about  
2 six other statements to the effect that the Nicolau  
3 was essentially dead.

4 But, like I said, I do not have my notes,  
5 so I can't give you the exact quotes, but I do have  
6 them written down.

7 Q. So you made notes about what  
8 Mr. Szymanski said at that road show?

9 A. I certainly did.

10 Q. Okay.

11 A. I wasn't planning to take notes, but as  
12 soon as he started doing that, yes.

13 Q. Okay. Are you aware of anyone else who  
14 took notes with respect to what was said?

15 A. Oh, I don't know. There were a couple of  
16 other West pilots in there, and there was also a  
17 couple of APA guys in there at the same time.

18 Q. But do you know --

19 A. I was approached by all of them when  
20 Mr. Szymanski started doing this.

21 Q. Do you know whether or not they had --  
22 they were taking notes?

23 A. I know John Scherff was there. He was  
24 taking notes. Another pilot, Dave Button, he was  
25 there. He was taking notes.